

ATTACHMENT C

ITEMS TO BE SEIZED

A. All records, in whatever form, and tangible objects that constitute evidence, fruits, and/or instrumentalities of drug distribution and money laundering, as set forth below:

1. Records of personal or business activities relating to the operation or ownership of any computer hardware, software, storage media, or data (such as user names, passwords, telephone records, notes, books, diaries, and reference materials).
2. Records pertaining to accounts held with companies providing Internet access or remote storage of either data or storage media.
3. Records relating to ownership, occupancy, or use of the premises searched (such as utility bills, phone bills, rent payments, mortgage payments, photographs, insurance documentation, receipts and check registers).
4. Records relating to drugs, drug proceeds, drug distribution, drug importation, money laundering, money transfers, ledgers, contact lists, price sheets, and related documents.
5. Records and information identifying contact information for co-conspirators, communications made in furtherance of the conspiracy, and photographs and videos of co-conspirators.

B. All computer hardware; computer software; computer-related documentation; and storage media. Off-site searching of such hardware, software, documentation, and storage media, shall be limited to searching for the items described in paragraph A of this attachment and shall be done according to the procedures set out in Attachment D.

UNITED STATES DISTRICT COURT

for the
District of Massachusetts

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Three USB Thumb Drives, marked as
Exhibit 1B51, 1B52 and 1B53

Case No. 13-MJ-2381-MBB

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Three USB Thumb Drives, marked as Exhibit 1B51, 1B52 and 1B53

located in the _____ District of _____ Massachusetts, there is now concealed (identify the person or describe the property to be seized):

Target Storage Devices 1B51, 1B52, 1B53.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 U.S.C. 846
18 U.S.C. 1956 & 1957

Offense Description
conspiracy to possess with intent to distribute controlled substances and
money laundering

The application is based on these facts:

See attached affidavit of Special Agent Stephen J. Kelleher, Federal Bureau of Investigation.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

[Signature]
Applicant's signature

Stephen J. Kelleher, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: October 25, 2012 @
12:12 PM

City and state: Boston, Massachusetts

[Signature]
Judge's signature

Marianne B. Bowler, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT

for the
District of Massachusetts

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
Three USB Thumb Drives, marked as
Exhibit 1B51, 1B52 and 1B53

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Case No.

13-MJ-2381-MBB

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ Massachusetts
(identify the person or describe the property to be searched and give its location):

Three USB Thumb Drives, marked as Exhibit 1B51, 1B52 and 1B53

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

See Affidavit of Stephen J. Kelleher, incorporated by reference, and Attachment C.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before

November 7, 2013

(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m.

☒ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Marianne B. Bowler

(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. §-2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of _____.

Date and time issued:

October 25, 2012
@ 12:12PM

Marianne B. Bowler, USMJ
Judge's signature

City and state: Boston, Massachusetts

Marianne B. Bowler, U.S. Magistrate Judge

Printed name and title

<i>Return</i>		
<i>Case No.:</i>	<i>Date and time warrant executed:</i>	<i>Copy of warrant and inventory left with:</i>
<i>Inventory made in the presence of:</i>		
<i>Inventory of the property taken and name of any person(s) seized:</i>		
<i>Certification</i>		
<p><i>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</i></p>		
<i>Date:</i> _____		_____ <i>Executing officer's signature</i>
		_____ <i>Printed name and title</i>

ATTACHMENT A
ITEMS TO BE SEARCHED

<u>Description</u>	<u>Referred to in Affidavit as</u>
1. Garmin nuvi 2450 GPS device, serial no. 269008542, marked as Exhibit 1B44.	Target GPS Device; Photograph in Attachment A.
2. Lenova laptop computer, serial no. L3-N5656, marked as Exhibit 1B45.	Target Laptop Computer; Photograph in Attachment A.
3. Apricorn portable hard drive, serial no. 5VJCZLKO, marked as Exhibit 1B49.	Target Storage Device; Photograph in Attachment A.
4. White Apple iPhone, model no. A1387, marked as Exhibit 1B43.	Target Telephone; Photograph in Attachment A.
5. Three USB Thumb Drives, marked as Exhibit 1B51, 1B52 and 1B53.	Target Storage Devices 1B51, 1B52, 1B53.

ATTACHMENT C

ITEMS TO BE SEIZED

A. All records, in whatever form, and tangible objects that constitute evidence, fruits, and/or instrumentalities of drug distribution and money laundering, as set forth below:

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**AFFIDAVIT OF SPECIAL AGENT STEPHEN J. KELLEHER IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Stephen J. Kelleher, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(c), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a seizure warrant. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") since 2004. I am currently assigned to the Organized Crime Drug Enforcement Task Force ("OCDETF") Boston Strike Force, which consists of federal law enforcement agents from not only the FBI, but also from other federal agencies, including the U.S. Drug Enforcement Administration ("DEA"), Homeland Security Investigations ("HSI"), the Internal Revenue Service ("IRS"), the U.S. Marshals Service ("USMS"), and other state and local law enforcement agencies. Prior to my current position, I was employed as a police officer in Seekonk, Massachusetts, and East Providence, Rhode Island.

2. Since becoming a Special Agent with the FBI, I have participated in investigations of narcotics trafficking and money laundering, and among other things, have conducted and participated in physical surveillance, the execution of search warrants, debriefings of informants, and have been the affiant in Title III investigations. Through my training, education, and experience, I am familiar with the manner in which illegal drugs are transported, stored, and distributed, and with the methods of payment for such drugs.